REMARKS

Applicant also notes that Examiner has rejected claims 1 to 11, 13 to 23 and 25 as being anticipated by three prior art patents, namely US Patent 4,698,969, US Patent 3,126,830 and US Patent 6,392,314. Examiner has also objected to claims 12 and 24 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. In response Applicants respectfully traverse all rejections and request reconsideration of the application.

Rejections to Claims 1 to 9, 13 to 22 and 25 under 35 U.S.C. § 102

In the Office Action, Examiner rejects pending claims 1 to 9, 13 to 22 and 25 under 35 U.S.C. § 102(b) as being anticipated by US Patent 4,698,969 to Raichlen et al. Examiner has also rejected pending claims 1 to 10, 13 to 22 and 25 as being anticipated by US Patent 3,126,830 to Dilliner. Examiner further rejects pending claims 1 to 11, 13 to 23 and 25 under 35 U.S.C. § 102(a/e) as being anticipated by US Patent 6,392,314 to Dick.

Response to Rejections of Claims 1 to 9, 13 to 22 and 25 under 35 U.S.C. § 102

In response to Examiner's rejection of claims 1 to 9, 13 to 22 and 25, Applicant has amended claims 1, 13 and 25 for improving clarity thereto.

Amended claim 1 teaches a pressurisation system for pressuring fluids while each of amended claims 13 and 25 teaches a method used by the pressurisation system as recited by claim 1 for pressuring fluids. Each of amended claims 1, 13 and 25 involves a vessel comprising a chamber for receiving fluid, which has a pressure, into the chamber. A plunger is used for enclosing a portion of the chamber to form an enclosure, which has a volume, and is movably coupled to and for cooperation with the chamber to reduce the volume of the enclosure. Additionally, a positioning device is used for interacting with the plunger to impede the reduction of the volume of the enclosure. More specifically, when the fluid is enclosed within the enclosure, the plunger cooperates with the chamber to reduce the volume of the enclosure thereby increasing the pressure of the fluid. In particular, positioning of the plunger within the chamber is artificially controlled by the positioning device to allow the volume of the enclosure

to be pre-determinable, according to page 5, line 32 to page 6, lines 1 to 9 and lines 16 to 19 of the present application. In other words, the positioning device works independently of the volume of the enclosure.

Applicant respectfully submits that the teachings of Raichlen, Dilliner and Dick are distinct and serve a different purpose from amended claims 1, 13 and 25 of Applicant's application.

Raichlen teaches a pump that has a pistol 41 reciprocatingly moving up and down in a cylinder 43. The pistol 42 is connected to a float 14 that floats on a water surface via a vertical pistol rod 52. The vertical pistol rod 52, identified as a positioning device by Examiner, moves up and down in response to wave motions, which in turn causes the pistol, identified as a plunger device by Examiner, to move up and down in tandem with the wave motions, according to column 7 lines 14 to 25 and Fig. 2 of the specification of Raichlen. This means that the positioning device relies on wave motions to move up and down within the cylinder. Raichlen therefore does not teach or intimate, according to amended claims 1, 13 and 25, a positioning device that is used for interacting with a plunger and works independently of the volume of the enclosure. The corresponding positioning device in Raichlen is unable to work independently of the volume of an enclosure created by the pistol and the cylinder, as it is dependent on and reflective of wave action or motion.

Dilliner teaches a pistol rod coupled to a float member, identified collectively as a hoist by Examiner, that rises and falls within a cylinder and in synchronise with the undulations on the surface of a body of water. The undulations causes a piston, identified as a plunger by Examiner, which is attached to one end of the pistol rod and opposite the float member, to reciprocate in harmony with the hoist, according to column 2 lines 36 to 39 and Fig. 2 of the specification of Dilliner. Accordingly, the hoist and pistol relies on the undulations on the surface of a body of water for its movement. Dilliner therefore does not teach or intimate, according to amended claims 1, 13 and 25, a positioning device that is used for interacting and works independently of the volume of the enclosure. The corresponding positioning device in Dilliner is unable to work

independently of the volume of an enclosure created by the hoist and the cylinder, as it is dependent on the undulations on the surface of a body of water.

Dick teaches a wave-powered system that has a variable buoyancy submerged underwater. The variable buoyancy is attached through a hydraulic cylinder, driving a piston rod, and via a pulley arrangement, to a non-variable buoyancy. The non-variable buoyancy acts to counteract the effect of tension exerted by the variable buoyancy. In other words, the movement of the piston rod is dependent on the occurrence of waves on a water surface. Dick therefore does not teach or intimate, according to amended claims 1, 13 and 25, a positioning device that is used for interacting with a plunger to works independently of the volume of the enclosure. The corresponding positioning device in Dick is unable to work independently of the volume of an enclosure created by the piston rod and the hydraulic cylinder, as it is dependent on the occurrence of waves on a water surface.

Furthermore, the corresponding positioning devices in Raichlen, Dilliner and Dick are unable to control as and when the compression force is needed for increasing the pressure of the fluid, as movement of the corresponding plungers are dependent on and reflective of wave action or motion.

The above-described merits of the Applicant's application results from the unique configuration as recited in amended claims 1, 13 and 25. The unique configuration is not taught by Raichlen, Dilliner or Dick and therefore is not anticipated by the three prior art documents.

In accordance with the submitted amendments to claims 1, 13 and 25 and the accompanying response explaining to Examiner of the distinctions therein over Raichlen, Dilliner and Dick, the rejections under 35 U.S.C. §102 of claims 1, 13 and 25 are consequently disposed of and these claims are in condition for allowance. Applicants respectfully submit that other 35 U.S.C. §102 rejections for dependent claims 2 to 11, 14 to 23 and objections to dependent claims 12 and 24 are consequently disposed of and are therefore in condition for allowance.

Conclusion

In accordance with amended claims 1, 13 and 25 and accompanying response to the Office Action, reconsideration and withdrawal of rejections to claims 1 to 11 and 13 to 23 and under 35 U.S.C. § 102 and objections to dependent claims 12 and 24 are respectfully requested.

Respectfully submitted,

/Jonathan M. Harris/
Jonathan M. Harris
PTO Reg. No. 44,144
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPLICANT